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7	IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON	
8	IN AND FOR COUNTY OF KING	
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10	DEANA HOUGHTON	No. 20-2-16594-8
11	an individual,	COMPLAINT
12	Plaintiff, vs.	
13	SAFEWAY, INC.,	•
14	a foreign corporation,	
15	Defendant.	
16		·
17	COMES NOW DISCUSSED FANA HOUSE	
18	COMES NOW Plaintiff DEANA HOUGHTON, by and through her attorney Christian	
19	Pearson of GAGLEY LAW GROUP LLP, and brings this Complaint against the named	
20	Defendant, SAFEWAY, INC., and alleges as follows:	
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22	I. PARTIES	
23	1.1 At all times relevant hereto, Plaintiff DEANA HOUGHTON was a resident of	
24	King County, Washington.	
25	COMPLAINT 1 of 5	GAGLEY LAW GROUP LLP 25052 104TH AVE. SE, STE. B KENT, WA 98030
		P: 253-854-1244 • F: 253-852-4268

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1.2 At all times relevant hereto, Defendant, SAFEWAY, INC. upon information and belief is a foreign corporation, incorporated in the State of Delaware with a principle place of business located at 11555 Dublin Canyon Rd, Pleasanton, California 94588, authorized to do business in the State of Washington, doing business as SAFEWAY, INC., and operating a business location at 13013 SE Kent-Kangley Road, Kent, Washington 98031, the location of the incident which is the subject of this complaint.

## II. JURISDICTION AND VENUE

- 2.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.
- 2.2 The Court has Jurisdiction over the parties as the alleged accident occurred in King County, Washington.
- 2.3 Venue in this matter is proper for this court, as all the causes of action have occurred in King County, Washington.

#### III. FACTS

- 3.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.
- 3.2 On or about February 3, 2020, Plaintiff DEANA HOUGHTON was a business invitee of Defendant SAFEWAY, INC., store located at 13013 SE Kent-Kangley Road, Kent Washington 98031.

COMPLAINT 2 of 5

- 3.3 On or about February 3, 2020 at approximately 12:30 PM, Plaintiff stopped at the Defendant store at 13013 Kent-Kangley Road in Kent, Washington to fill up her Suburban SUV with gasoline. When Plaintiff exited her vehicle, there was a liquid, a mixture of diesel fuel and oil, on the ground and on the pump. The mixture of fuel and oil on the pump was transferred to Plaintiff's hands. As she returned to her vehicle cab to wipe her hands off, Plaintiff fell hard onto the ground. When she went to replace the gas nozzle to the pump, Plaintiff fell again on the slippery surface.
- 3.4 The area near the gas pump was hazardous as there was a mixture of fuel and oil on the ground.
- 3.5 An attendant, an employee of Defendant, was on duty at the gas station at the time of the incident.
- 3.6 The Defendant failed to take adequate steps to warn of a dangerous and unsafe condition, and Defendant failed to remedy or make safe the dangerous condition.
- 3.7 As a result of Defendant's negligent failure to properly monitor the area around the gas pumps and keep the ground free of slippery liquids, such as fuel and oil, Plaintiff sustained injuries.
- 3.8 As a direct result of Defendant's negligent act, Plaintiff was forced to undergo significant medical treatments and incurred significant medical expenses in an amount to be proven at trial.
- 3.9 On or about February 3, 2020, Defendant's negligence was the proximate cause of the incident which is the subject of this complaint.

COMPLAINT 3 of 5

3.10 As a result of the Defendant's negligence Plaintiff suffered and continues to suffer bodily injuries, physical disability and pain, emotional trauma, medical expenses, loss of earnings and earning capacity, and other damages as a result of the incident.

# IV. LIABILITY

- 4.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.
- 4.2 Defendant had a duty to maintain safe walking areas near the gasoline pumps, free of slippery liquids such as fuel and oil, to allow patrons to have safe access to the pumps without danger of injury from slips and falls.
- 4.3 The Defendants knew or should have known that the area surrounding the gasoline pumps was an area of high traffic giving rise to a duty on the part of defendants to keep the area safe and not hazardous.

### V. DAMAGES

- 5.1 Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully restated herein.
- 5.2 As a proximate result of the negligence of Defendant SAFEWAY, INC., Plaintiff DEANA HOUGHTON suffered severe personal injuries in such amount as shall be proven at the time of trial.

COMPLAINT 4 of 5

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#### VI. RELIEF SOUGHT.

WHEREFORE, Plaintiff respectfully request the following relief:

- 1. For general damages for pain and suffering, mental distress, and emotional anxiety, past, present, and future;
- 2. For special damages including all medical expenses incurred by Plaintiff in treatment for injuries resulting from the collision accident as well as future medical expenses and other items of special damages;
- 3. For special damage of the loss of income to Plaintiff and reduction in earning capacity, past, present, and future;
- 4. For pre-judgment interest at the statutory rate on all items of special damages including, without limitation, expenses of medical care and treatment;
  - 5. For an award of attorney's fees and costs incurred herein;
  - 6. For such other and further relief as the Court may deem just and equitable.

Respectfully submitted on this the 12th day of November, 2020.

GAGLEY LAW GROUP LLP

Christian Pearson WSBA #: 55534

Attorney for Plaintiff

COMPLAINT 5 of 5